



6712-01

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0600]

Information Collection Being Reviewed by the Federal Communications Commission

Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email PRA@fcc.gov and

to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0600.

Title: Application to Participate in an FCC Auction, FCC 175.

Form Number: FCC Form 175.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local or tribal governments.

Estimated Number of Respondents and Responses: 500 respondents and 500 responses.

Estimated Time Per Response: 90 minutes (estimated average time for respondents to report information requested on FCC Form 175).

Frequency of Response: On occasion reporting requirements.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for the currently approved information collection is contained in sections 154(i), 309(j)(5), and 1404 of the Communications Act, as amended, 47 U.S.C. sections 4(i), 309(j)(5), 1404, and sections 1.2105, 1.2110, 1.2112, 2.106, US note 91, and 27.1134(f) of the Commission's rules, 47 C.F.R. sections 1.2105, 1.2110, 1.2112, 2.106, US note 91, and 27.1134(f).

Estimated Total Annual Burden: 750 hours.

Total Annual Costs: No costs.

Nature and Extent of Confidentiality: Information collected on FCC Form 175 is made available for public inspection, and the Commission is not requesting that respondents submit confidential information on FCC Form 175. Respondents seeking to have information collected on FCC Form 175 withheld from public inspection may request confidential treatment of such information pursuant to section 0.459 of the Commission's rules, 47 CFR Section 0.459.

Privacy Act Impact Assessment: No impact(s).

Needs and Uses: A request for extension of this information collection (no change in requirements) will be submitted to the Office of Management and Budget (OMB) after this 60-day comment period in order to obtain the full three year clearance from OMB. The Commission's auction rules and requirements are designed to ensure that the competitive bidding process is limited to serious qualified applicants, deter possible abuse of the bidding and licensing process, and enhance the use of competitive bidding to assign Commission licenses in furtherance of the public interest. The information collected on FCC Form 175 is used by the Commission to determine if an applicant is legally, technically, and financially qualified to participate in a Commission auction. Additionally, if an applicant applies for status as a particular type of auction participant pursuant to Commission rules, the Commission uses information collected on Form 175 to determine whether the applicant is eligible for the status requested. Commission staff reviews the information collected on FCC Form 175 for a particular auction as part of the pre-auction process, prior to the auction being held. Staff determines whether each applicant satisfies the Commission's requirements to participate in the auction and, if applicable, is eligible for the status as a particular type of auction participant it requested. 47 CFR sections 2.106, US note 91 and 27.1134(f) require commercial licensees in the 1755-1780 MHz band to operate on a co-equal, primary operations with Federal systems within specified geographic zones and require such licensees to accept interference from Federal systems as long as such systems remain in the band. To implement these requirements, an applicant in any auction for licenses in the 1755-1780 MHz band will be required to submit a signed statement with its FCC Form 175 acknowledging these requirements. The information collected under this requirement will enable the Commission to confirm that an auction applicant understands its specific obligations with respect to Federal incumbent users and systems in the 1755-1780 MHz frequency band should it ultimately become licensed in this band. The Commission plans to continue to use the FCC Form 175 for all upcoming spectrum auctions, collecting only the information necessary for each

particular auction. Thus, the signed acknowledgement statement that is the subject of this collection will not be required for all auctions, and will only be used in auctions of licenses in the 1755-1780 MHz band.

Federal Communications Commission.

Marlene H. Dortch,
Secretary,
Office of the Secretary,
Office of the Managing Director

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